

REMARKS

Claims 1-4, 7-9, and 12-21 are pending in this application. No new matter has been added.

Applicants wish to thank examiners Peterson and Henn for the courtesy of granting a personal interview in this application on April 22, 2008, to discuss the preliminary amendment filed March 24, 2008, with applicant's representative.

During the interview, applicant's representative explained the deficiencies of the principal reference to Moores, Jr. et al. with particular regard to the embodiment of Figure 7. One problem that came to light during the course of the discussion was that the examiners were of the view that even an omni-directional imaging communication device would communicate data "within an imaging angle of view of the imaging means," even if it would also communicate data substantially outside of the imaging angle of view as well.

Applicant's representative went on to discuss the distinctions between the Moores, Jr. reference and the operation of the present application, and as a result of these discussions, the examiners agreed that the claim would be allowable if amended to reflect the scope originally intended in terms of reciting that the imaging communication device and the imaging means are arranged "so that the data communication range of the imaging device is substantially within an imaging angle of view of the imaging means." Accordingly, independent claims 1 and 12 are now amended to reflect this agreed upon subject matter that clearly patentably distinguishes over Moores, Jr.

In addition to the discussion as to overcoming the Moores, Jr. reference, the examiners noted a concern that the Kaku reference, a U.S. Publication 2002/0049728 A1, teaches some of the concepts of the present application.

In response to this concern, it is noted that both the present invention and Kaku have a common aim in terms of obtaining a photograph of a subject who has a natural facial expression at a so-called theme park, or the like. There is also the common intent

to obtain the photograph of the subject without trying to force the desired natural facial expression. However, the present invention and Kaku are different from each other with respect to the following points.

One of the objects of the present invention is to make it possible to immediately check an image after it is photographed. Therefore, in the present invention, a display is provided as part of the terminal device. Note the independent claim 1 recital of "the one or more terminal devices including a display capable of displaying images" and that independent claim 12 requires that the terminal device "also includes a display to display the images obtained by the one or more cameras." Similarly, independent claim 18 recites that the terminal device used has, among other features, a "display." There is no teaching or suggestion of such a terminal display in Kaku.

Thus, even though the present invention and Kaku both seek to obtain photographs in a theme park or the like, it is only the present invention (note again the quotes from independent claims 1, 12, and 18) that has the display for showing the image of the subject photographed immediately after the photograph is made by displaying the image at the terminal device. Again, no such display is taught or suggested by Kaku that could provide this immediate display of the subject.

Since the present invention aims to show the image immediately after photography, the terminal device recited in each of independent claims 1, 12, and 18 includes the display as noted above. In addition, independent claim 18 includes a feature that an image of a user, who is a subject, is displayed on the display unit of the terminal device. Once again, it is noted that Kaku fails to teach or suggest any of these claimed features.

Furthermore, it is noted that Kaku describes the following imaging timings:

1. Predetermined interval (Paragraph 0129);
2. Predetermined imaging timing (Paragraph 0132);
3. Predetermined distance (Paragraph 0133);
4. Specific positional relationship (Paragraph 0136); and

5. "When a subject has arrived at a predetermined position" (Paragraph 0179).

In contrast, the imaging timing recited in claims 1 is "when the terminal device carried by the subject and the imaging device communication means become able to communicate with each other." Similarly, claim 12 recites "wherein the terminal device includes an integral terminal communicator to communicate a unique identification code to the controller when the terminal device is within the operative range of one or more cameras." To the extent that Kaku describes the "predetermined imaging timing" in (2) above, it still fails to teach or suggest the claimed timing, e.g., "when communication between the communication means of the terminal and the imaging wireless communication means becomes possible",

Further, Figure 24 of Kaku illustrates the relationship between the data communication area of the wireless communication means for imaging and the angle of view of the imaging means. However, Kaku fails to teach or suggest the feature of the present invention that "the imaging communication device and the imaging means are arranged so that the data communication range of the imaging communication device is substantially within an imaging angle of *view* of the imaging means" of claim 1 or the similar requirement of claim 12..

Further, Kaku fails to teach or suggest the invention claimed in claim 3, in which an image obtained by imaging is transmitted to the terminal device. Further, Kaku fails to teach or suggest the invention claimed in claim 7, in which photography is prohibited after a predetermined number of images have been photographed continuously. Further, Kaku fails to teach or suggest the invention claimed in claim 8, in which imaging is prohibited for a predetermined time after photography.

CONCLUSION

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Raymond F. Cardillo (Reg. No. 40,440) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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